

**WEBB COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES FOR THE
REGULAR MEETING
NOVEMBER 12, 2002
9:00 A.M.**

01.02-11-295. CALL TO ORDER BY JUDGE MERCURIO MARTINEZ, JR.

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:30 A.M. at the regular meeting place with the following members present to wit:

Mercurio Martinez Jr.	County Judge
Jerry Vasquez	Commissioner Pct. 1
Judith Gutierrez	Commissioner Pct. 2
Felix Velasquez	Commissioner Pct. 3
Mike Urdiales	Commissioner Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 8th day of November 2002. Present also were Ms. Alejandra G. Villarreal, Deputy County Clerk representing Mr. Henry Flores, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.
INVOCATION- Commissioner Judith Gutierrez

PLEDGE OF ALLEGIANCE- Mr. Eloy Ramirez

02.02-11-296. APPROVAL OF MINUTES

After commenting on the clarity and order in which the minutes were presented, Cmr. Gutierrez made a motion to adopt said minutes. Cmr. Velasquez seconded the motion and all voted "Aye" in favor to approve.

03.02-11-297. COMMUNICATIONS

**PRESENTATION BY HWY 359 COALITION WITH
REGARDS TO PROPOSED LANDFILL.**

Judge Martinez publicly announced that the Texas Commission of Environmental Quality formally known as TNRCC gave notice of a public meeting for an application for a municipal solid waste landfill permit. The public meeting was to be held on Tuesday, November 12, 2002 at 7:00 P. M. at the Center for the Study of Western Hemispheric Trade at TAMIU.

The Judge reiterated to the public that the County had already passed a resolution against this particular landfill that, if approved, would be located on Hwy 359 approx. 8 miles east of the city limits of Laredo.

For the record, Cmr. Urdiales and Velasquez voiced their concerns about the proposed landfill in precinct 3.

Cmr. Gutierrez understood and sympathized with the concerns voiced by both Commissioners because the landfill being proposed presently would be located in her precinct. Cmr. Gutierrez also mentioned that the Hwy 359 Coalition headed by Woody Cavazos was opposed to and had fought against this landfill and said we need to stand together steadfast in opposition.

Mr. Pedro Gaytan and Ms. Rocio Lozano addressed the Court to extend an invitation, to this year's "Feast of Sharing" which will be held on Sunday, November 24, 2002 from 11:00 A.M. to 3:00 P.M. at the Civic Center grounds. El Metro will provide free transportation and 1,500 free flu shots will be offered to participants 14 and older.

The Judge thanked HEB for their generosity and wished them continued success.

Veteran Service Officer, Jesus Cantu, requested and was granted a minute of silence in memory of Louis R Rocco, U S Army Congressional Medal of Honor recipient, of San Antonio who had passed away recently.

After observing the minute of silence, Mr. Cantu announced that through the efforts of his office, the Advisory Committee of the City of Laredo and other veterans organizations, the play “VETERANOS: A Legacy of Valor” depicting the lives of four (4) Medal of Honor recipients, including that of Laredoan David Barkley Cantu, the 1st Hispanic awarded the Congressional Medal of Honor, would be coming to Laredo beginning Friday November 15 thru Sunday November 17, 2002.

The play’s Executive Producer, Danny Haro, as well as several cast members including, Erik Carrillo, Daniel Chacon, Veronica Diaz, and Jorge Cordova, thanked the Court for its cooperation in bringing this play to Laredo and also thanked the local schools for their participation. The Purple Heart Foundation will be honoring a local family on stage on opening night. The play travels with a 1,500 sq. ft. exhibit making it one of only a few authorized by the FBI to have actual replicas of the 40 Latin Medals of Honor and uniforms.

The Judge thanked the cast and wished them good luck with a “Break a leg”.

After acknowledging no other items of communication, the Judge asked to bring up item 07.02-11-301 (a).

Cmr. Gutierrez made the motion to bring up said item and Cmr. Vasquez seconded the motion. All voted “Aye” in favor. (Please see page 11 & 12)

Cmr. Gutierrez made a motion to bring up item 06.02-11-300 (f) and Cmr. Velasquez seconded the motion. All voted “Aye” in favor. (Please see page 10 & 11)

4.02-11-298.APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS

Jorge Flores, County Treasurer, presented the Sales Tax Report for the month of October and three (3) side bills. The report figures showed a decrease of \$ 101,640.85 in sales tax revenue from the previous year.

A motion was made by Cmr. Gutierrez to approve the sales tax report and side bills as presented. Cmr. Velasquez seconded the motion. All voted "Aye" in favor to approve.

Leo Flores, County Auditor, presented the Auditor's Report for the month of October. After several items were brought to the attention of the Court, he answered several questions asked of him.

Mr. Flores congratulated the Court and Carlos Villarreal, Executive Administrator, for their hard work in eliminating the deficit and leaving a healthy fund balance. Judge Martinez also congratulated the Commissioners Court and staff for their hard work in this. Cmr. Gutierrez also commended the Court stating that it should be recognized for its achievements in clearing up the deficit. Cmr. Urdiales challenged the media and the taxpayers to compare this Court's achievements with the new Court coming in and challenged the new Court to surpass the achievements of the present one.

Leo Flores explained that the only thing not cleared was the Modular Housing Project and that a very detailed memo on its infrastructure was sent by County Engineer, Tomas Rodriguez. He said that he needed to know where that infrastructure was located because if it was on County owned property there should be no problem classifying it as an asset for that was the determining factor. This information was still pending.

The Judge apologized and stated that no fault should fall on Juan

Vargas or his department as they were only following the Court's directions on the disbursement of funds for the Modular Housing Project. Mr. Flores explained that at times, funding is provided with the Court's approval, prior to having all documentation in place for grants. Cmr. Velasquez questioned if the County would be "written-up" by the external auditors in such cases, to which Mr. Flores responded that indeed the County would be written-up but ultimately it would be the Court's decision to continue these practices. Cmr. Gutierrez further explained that it was a question of timing on grants, and that this could have been avoided if financial guarantees had been brought forward.

A correction on the Auditor's Report was acknowledged by Mr. Flores on page 8, 9, & 10. (Should read October, not September)

The auditor went over the Brooks County report. Mr. Flores as well as Jail Administrator, Jose Salinas, responded to questions posed by the Court. Mr. Flores will continue to provide monthly reports on Brooks County to the Commissioners Court.

Judge Martinez and Cmr. Gutierrez commended Jose Salinas and George Gonzalez on their diligence and hard work in preparing the budget for the jail.

The report for invoices that are over 60 days old and the billing statement for U S Cellular were also presented to the Court. Mr. Flores made it clear that whoever exceeded their allowed minutes would be billed and that payment was expected in a timely manner, and if not, cellular privileges would be revoked.

A motion to acknowledge and approve all reports submitted, some with changes, was made by Cmr. Gutierrez and seconded by Cmr. Urdiales with all voting "Aye" in favor to approve. (Full discussion on audiotape)

05.02-11-299. APPROVAL OF RESOLUTION/PROCLAMATIONS

1. “KEEP JUSTICE ALIVE WEEK”

The Judge announced that a formal presentation would be held on Monday, November 18, 2002 at 1:30 P. M. at the Webb County Courthouse and proceeded to read the resolution in open Court.

Cmr. Gutierrez made a motion to approve the resolution and Cmr. Urdiales seconded the motion with all voting “Aye” in favor. Motion carried 4 to 0.

06.02-11-300. COURT TO DISCUSS AND ACT ON THE FOLLOWING:

a. JUVENILE DEPARTMENT

ACTION TO FILL SLOTS 1681 AND 1684 (Drill Instructors) AT \$10.09 AN HOUR, SLOT 342 (Detention Officer) AT \$10.90 AN HOUR, AND SLOT 795(Probation Officer) AT \$13.20 AN HOUR, EFFECTIVE NOVEMBER 12, 2002.

A motion was made by Cmr. Gutierrez to approve the filling of said slots as submitted and seconded by Cmr. Vasquez. All voted “Aye” in favor.

b. COMMUNITY ACTION AGENCY

1. ACTION TO FILL SLOT 1213 (Nutrition Director) AT\$38,000 A YEAR, EFFECTIVE NOVEMBER 12, 2002. (No Impact on General Fund)

Cmr. Gutierrez made a motion to approve the filling of Slot 1213 as submitted and Cmr. Velasquez seconded the motion. All voted “Aye” in favor.

**2. ACTION TO MODIFY SLOT 1809 (CEAP Secretary)
FROM \$8.00 TO \$9.00 AN HOUR, EFFECTIVE
NOVEMBER 12, 2002. (No Impact on General Fund)**

Cmr. Gutierrez made a motion to approve the modification of slot 1809 as submitted and Cmr. Velasquez seconded the motion. All voted “Aye” in favor.

c. PLANNING DEPARTMENT

**ACTION TO ISSUE “CERTIFICATIONS REGARDING
COMPLIANCE WITH PLAT REQUIREMENTS AND THE
CONNECTION OF UTILITIES” TO AUTHORIZE UTILITY
CONNECTIONS TO THE FOLLOWING PROPERTIES:**

Connection(s) qualifying under Section 232.029 (i).

**Lot 82, Ranchitos Los Centenarios Subdivision, (electricity -
one dwelling only).**

Connection(s) qualifying under Section 232.028 (a) & (b).

**Lot 2 & 4, Block 84, Bruni Subdivision (electricity - one
dwelling only).**

Cmr. Gutierrez made a motion to approve the issuance of certifications and to authorize the utility connections as submitted. Cmr. Urdiales seconded the motion. All voted “Aye” in favor.

d. CONSTABLE RAUL HINOJOSA

1. ACTION TO APPROVE NEW POSITION FOR AN (Intelligence investigator) FROM LAREDO NARCOTIC TASK FORCE. (100% funded)

Cmr. Gutierrez made a motion to approve items 1 & 2 as submitted and Cmr. Velasquez seconded the motion.

Cmr. Urdiales voiced his concerns and stated he was against approving a position for the Narcotic Task Force at the constables office for concerns of possible dissemination of information (leaks). He also stated that the Narcotics Task Force should be left in the hands of the FBI, the Sheriffs, and the DEA.

Judge Martinez called for the question - motion carried 3 to 1 with Cmr. Urdiales voting against.

2. ACTION TO FILL SLOT 584 (Deputy Constable) AT \$13.62 AN HOUR.

Cmr. Gutierrez made a motion to approve items 1 & 2 as submitted and Cmr. Velasquez seconded the motion. Judge Martinez called for the question - motion carried 3 to 1 with Cmr. Urdiales voting against.

e. ELECTIONS DEPARTMENT

1. ACTION TO CANVASS ELECTION RESULTS OF THE GENERAL ELECTION HELD ON THE 5TH DAY OF NOVEMBER, 2002 FOR COUNTY AND PRECINCT OFFICERS.

Elections Administrator, John Beckelhymer presented each Court member with a package for the Canvass of the Election.

Cmr. Gutierrez commended Mr. Beckelhymer for a smooth election and his prompt attention voters' concerns.

Cmr. Velasquez inquired on the number of voters who have never voted and asked if these non-voters would be purged from the system.

Mr. Beckelhymer explained that approx. 32,000 voters have not participated in any election and that certificates returned to his office, as “non-deliverable” would be purged.

Cmr. Vasquez commended Cmr. Gutierrez, Ms. Sylvia Palumbo, the media, and the Laredo Morning Times for getting the voters out to the polls. He also mentioned that with the increase in registered voters percentage wise “we didn’t get there” and reminded candidates that voters between the ages of 18 and 30 represented the majority of registered voters.

Mr. Beckelhymer stated that although he got the credit for the good voter turnout, neither he nor his office was responsible for it and that the credit belonged to the Court.

Cmr. Gutierrez acknowledged that a total of 39,618 voters participated in both the General and Constitutional Amendment elections and motioned to approve both items as presented. Cmr. Velasquez seconded the motion with all voting “Aye” in favor.

Judge Martinez stated that this Court would consider the possibility of bringing in new technology and new equipment for actual voting in the coming year. Hopefully, he said, this can be considered before the end of the year.

2. ACTION TO CANVASS ELECTION RESULTS OF THE CONSTITUTIONAL AMENDMENT ELECTION HELD ON THE 5TH DAY OF NOVEMBER 2002.

Cmr. Gutierrez acknowledged that a total of 39,618

voters participated in both the General and Constitutional Amendment elections and motioned to approve both items as presented. Cmr. Velasquez seconded the motion with all voting "Aye" in favor.

f. **COUNTY AUDITOR**

ACTION TO APPROVE OR REJECT A BILLING FROM ATTORNEY AMADOR GUTIERREZ FOR LEGAL SERVICES PROVIDED AS A COURT APPOINTED ATTORNEY TO REPRESENT AN INDIGENT MINOR ON A CASE PERTAINING TO TERMINATION OF PARENTAL RIGHTS. THE BILLING SHOW DATES OF SERVICE BEGINNING ON 08-18-89 AND ENDING ON 12-10-97. DURING THOSE DATES, 108.33 HOURS OF LEGAL SERVICE WERE PROVIDED AT \$95 PER HOUR. THE BILLING OF \$10,291.35 IS BEING REFERRED TO COMMISSIONERS COURT BECAUSE OF THE CONSIDERABLE AMOUNT OF TIME THAT HAS ELAPSED.

After hearing recommendations from the county auditor and the county attorney, Judge Martinez read a portion of a letter from Mr. Amador Gutierrez, Jr., pointing out that through a series of unforeseen circumstances, this bill was still pending even though it had been originally submitted in a timely manner. Cmr. Gutierrez motioned to approved payment and Cmr. Velasquez seconded the motion with all voting "Aye" in support. Cmr. Vasquez, having asked for discussion, asked Mr. Gutierrez to make his presentation and present his bills and Mr. Gutierrez complied.

Mr. Gutierrez thanked the Court and also thanked Mr. Leo Flores for his professionalism and promptness in the handling of this matter. (Full discussion on audiotape)

g. **ECONOMIC DEVELOPMENT DEPARTMENT**

**ACTION TO REQUEST A CONTRACT TIME EXTENSION
FOR THE TEXAS WATER DEVELOPMENT BOARD
PROJECT #GO5500 UNTIL MAY 31, 2003. THIS
CONTRACT TIME EXTENSION WILL NOT BE AT ANY
COST TO THE COUNTY.**

A motion was made by Cmr. Gutierrez to approve the item as
as submitted and Cmr. Vasquez seconded the motion. All voted
“Aye” in favor.

07.02-11-301.

COUNTY JUDGE AND COMMISSIONERS

- a. ACTION ON A PROPOSAL TO HIRE ATTORNEYS TO
INVESTIGATE AND FILE ALL CLAIMS FOR
UNDERVALUATION OF REAL PROPERTY FOR
PURPOSES OF DETERMINING LIABILITY FOR AD
VALOREM TAXES AND UNDERPAYMENT AND NON-
PAYMENT OF AD VALOREM TAXES AND FOR ANY
FURTHER RECOVERY OF ALL RELATED CLAIMS.**

Judge Martinez introduced Mr. Ramon Garcia, Hidalgo County
Judge Elect.

Mr. Garcia explained that his team’s goal is to investigate the
undervaluation of real property for purposes of determining liability
for ad valorem taxes and underpayment and non-payment of these
taxes. The team, having been hired in five (5) other counties, has
been successful in finding and litigating such cases. He explained
that if no such cases were found in Webb County, there would be
no fees charged to the county. If cases
are found and litigated successfully, fees and expenses necessary
to process each claim will be advanced by the firm with a 40%
contingency fee accessed to the County.

After a lengthy discussion in which the Court expressed numerous
questions, concerns, comments and recommendations, Cmr.
Urdiales made a motion to hire the firm with the understanding that

they would specifically check the two (2) tracks of land set aside for the education of this community's children, that Mr. Garcia meet with the county attorney to negotiate the actual agreement and that Mr. Martin Villarreal, Webb County Appraisal District Business Manager, be part of the process. Cmr. Velasquez seconded the motion. Motion carried 4 to 1 with Cmr. Vasquez voting against. (Full discussion on audiotape)

- b. **RESOLUTION AUTHORIZING THE ISSUANCE OF “WEBB COUNTY, TEXAS WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2002-A” AND MAKING PROVISIONS FOR THE SECURITY THEREOF; APPROVING THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD, THE ESCROW AGREEMENT, AND THE PAYING AGENT/REGISTRAR AGREEMENT; AND APPROVING OTHER MATTERS RELATING THERETO.**

Carlos Villarreal, Executive Administrator, introduced Mr. Roberto Tijerina, Financial Advisor, with Estrada, Hinojosa & Co. and Mr. Marshall T. White, Bond Council, with Akin, Gump, Strauss, Haver, & Feld. Mr. Tijerina and Mr. White addressed the Court to present their reports and answer any questions brought forth by the Court.

Cmr. Velasquez expressed his concerns over what would happen if the projected growth was not achieved and if there was a deficit in revenues. Mr. Villarreal explained that total build out has almost been achieved in Rio Bravo and Mr. Marshall stated that there were no general obligation accounting pledges.

Cmr. Gutierrez made a motion to accept all reports and approve items b, c, & d as submitted. Cmr. Urdiales seconded the motion. All voted “Aye” in favor. Motion carried 3 to 0. Cmr. Vasquez not being present at the time.

- c. **RESOLUTION AUTHORIZING THE ISSUANCE OF “WEBB COUNTY, TEXAS WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2002-B” AND MAKING**

**PROVISIONS FOR THE SECURITY THEREOF;
APPROVING THE APPLICATION TO THE TEXAS WATER
DEVELOPMENT BOARD, THE ESCROW AGREEMENT,
AND THE PAYING AGENT/REGISTRAR AGREEMENT;
AND APPROVING OTHER MATTERS RELATING
THERE TO.**

Cmr. Gutierrez made a motion to accept all reports and approve items b, c, & d as submitted. Cmr. Urdiales seconded the motion. All voted "Aye" in favor. Motion carried 3 to 0.
Cmr. Vasquez not being present at the time.

- d. RESOLUTION AUTHORIZING THE ISSUANCE OF "WEBB COUNTY, TEXAS WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2002-C" AND MAKING PROVISIONS FOR THE SECURITY THEREOF;
APPROVING THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD, THE ESCROW AGREEMENT, AND THE PAYING AGENT/REGISTRAR AGREEMENT;
AND APPROVING OTHER MATTERS RELATING THERE TO.**

Cmr. Gutierrez made a motion to accept all reports and approve items b, c, & d as submitted. Cmr. Urdiales seconded the motion. All voted "Aye" in favor. Motion carried 3 to 0.
Cmr. Vasquez not being present at the time.

- e. PRESENTATION WITH ACTION TO APPROVE 2001 AND 2002 BOND ISSUE CAPITAL OUTLAY REQUESTS.**

Carlos Villarreal, Executive Administrator, reviewed the list of requests submitted by the departments requesting capital outlay expenditures. He explained that each department was asked to prioritize their requests and thus taken into consideration. He thanked Leo Flores and Eloy Ramirez for their contribution in preparing the capital outlay list.

Cmr. Velasquez, needing more time to review the list, requested this item be brought back at the next meeting. Cmr. Gutierrez stated that the longer the Court took to approve this item, the longer it would take for the departments to receive their requests.

Consequently, Cmr. Gutierrez made the motion to approve the item as submitted and Cmr. Urdiales seconded the motion. All voting "Aye" to approve. Motion carried 4-0.

f. ACTION TO SET DATES FOR EVALUATIONS OF DEPARTMENT HEADS UNDER THE COMMISSIONERS COURT.

After a lengthy discussion on the topic of evaluations, procedures, and dates, Cmr. Vasquez made a motion to conduct department head evaluations on November 18th and 19th at 10:00 A.M. Cmr.

Gutierrez seconded the motion with discussion. She asked County Attorney, Homero Ramirez, to set out the process in writing and advise department heads what was expected of them. All voted "Aye" in favor. Motion carried 4-0.

(Full discussion on audiotape)

08.02-11-302. COURT TO DISCUSS AND ACT ON THE FOLLOWING FROM THE COUNTY ENGINEERING DEPARTMENT

a. ACTION AUTHORIZING THE ROAD & BRIDGE DEPARTMENT FUND 010 TO FILL THE FOLLOWING SLOTS AT THE SALARY APPROVED BY THE 2002-03 BUDGET:

FUND 010, DEPARTMENT 7002:

- Slot 2116 (Dump Truck Driver) at \$9.95 an hour
- Slot 2117 (Dump Truck Driver) at \$9.95 an hour
- Slot 2118 (Dump Truck Driver) at \$9.95 an hour
- Slot 2119 (Dump Truck Driver) at \$9.95 an hour
- Slot 2120 (Heavy Eqpt. Operator) at \$10.26 an hour

A motion was made by Cmr. Gutierrez to approve the hiring of said drivers and operator. Judge Martinez seconded the motion. All voted "Aye" in favor to approve. Motion carried 5 to 0.

**09.02-11-303. COURT TO DISCUSS AND ACT ON THE FOLLOWING
FROM PURCHASING AGENT**

- a, ACTION TO OBTAIN THE SERVICES OF PROFIRE PROTECTION INC. TO INSTALL FIRE ALARM SYSTEM AT LITTLE PALOMINOS,(West End Washington Street) AND TO RE-INSTALL FIRE ALARM SYSTEM AT ROOSEVELT CENTER, (4801 South Ejido Lot 1) FOR THE HEAD START PROGRAM IN THE AMOUNT OF \$5,642, FUND 903-4207-6069.**

Cmdr. Gutierrez made a motion to approve the item as submitted and Cmdr. Vasquez seconded the motion. All voted "Aye" to approve the motion. Motion carried 4 to 0.

- b. ACTION TO AWARD/REJECT THE FOLLOWING BIDS:**

Bid #2003-12 One (1) Copier and Three (3) 55cpm Digital Copiers– One (1) 35 cpm digital copier @ \$7,052.10 and three (3) 55cpm digital copier @ \$9,995.00 from Office Communications Systems, Inc.

Bid #2003-10 Two (2) Motor Graders with Two-Year Power Train Warranty – @ \$209,842.56 and \$6,945 for extended warranty from Nueces Power Equipment

Bid #2003-11 One (1) Excavator– @ \$191,303 and \$4,237 for the extended warranty from Nueces Power Equipment.

Bid #2003-18 One (1) Backhoe w/Hammer– @ \$53,128 and \$2,155 for the extended warranty from Nueces Power.

Bid #2003-19 One Front Loader Backhoe– @ \$43,621 and \$1,825 for the extended warranty from Nueces Power Equipment

Cmdr. Gutierrez made the motion to accept the recommendations of the Purchasing Agent for Bids #2002-12, 2002-10, 2002-11, 2002-18, and 2002-19. Cmdr. Velasquez seconded the motion. All voted "Aye" in favor. Motion carried 4 to 0.

Bid #2003-17 Two Year Contract for Rental Uniforms Road & Bridge and Facilities Department

The Purchasing Agent, explained that he had only one bid for this item, this being from Uni-First Corp. weekly cost per garment:

Long/Short sleeve shirt (male & female)	\$ 1.70
Navy Blue pants	\$ 2.40/pr.
Dress shirts	\$ 2.25
Dress slacks (blue or gray)	\$ 3.45
Women's Oxford shirt	\$ 2.15
Pleated brushed twill pants	\$ 3.45/pr.

Cmr. Velasquez asked what the benefits were in renting the garments. Mr. Ramirez explained that some companies took a long time to deliver and that some employees' garments were not properly kept. After the Court reviewed the pros and cons of renting and buying, Cmr. Velasquez made the motion to approve the renting of uniforms on a test basis for one year from said company. Cmr. Gutierrez seconded the motion. All voted "Aye" to approve. Motion carried 4-0. Motion did not include the Facilities Department. (Full discussion on audiotape)

Bid #2003-02 Police Vehicles – six (6) Impalas from Paul Young Co. three from grant and 3 from Capital Outlay @ \$28,998 plus \$1,840 for the extended warranty.

After a lengthy discussion in which several suggestions, alternatives, and recommendations were discussed by members of the Court, Purchasing Agent, Eloy Ramirez, Executive Administrator, Carlos Villarreal, and Jail Administrator, Jose Salinas, Cmr. Vasquez stated that a decision needed to be made. He then proceeded to make a motion to use \$100,000 from the Capital Outlay Fund and grant funds to purchase a total of six (6) vehicles. Motion carried 3 to 1 with Cmr. Velasquez voting against. (Full discussion on Audiotape)

**10.02-11-304. COURT TO DISCUSS AND ACT ON THE FOLLOWING
FROM COUNTY ATTORNEY**

a. ACTION TO ENTER INTO AN INTERLOCAL

AGREEMENT WITH UNITED INDEPENDENT SCHOOL DISTRICT (U.I.S.D.) FOR JUSTICE OF THE PEACE JUVENILE COORDINATORS IN J.P. COURT PRECINCTS 2 AND 4 IN THE AMOUNT OF TWENTY-TWO THOUSAND DOLLARS TWO HUNDRED FORTY-SEVEN DOLLARS AND THIRTY-EIGHT CENTS (\$22,247.38) FOR PRECINCT 2 COORDINATOR AND TWENTY-FOUR THOUSAND THREE HUNDRED TWELVE DOLLARS AND TWELVE CENTS (\$24,312.12) FOR PRECINCT 4 COORDINATOR OF WHICH WEBB COUNTY SHALL BE RESPONSIBLE FOR ONE-HALF OF EACH OF THE ABOVE SALARIES BEING TWENTY-THREE THOUSAND TWO HUNDRED EIGHTY DOLLARS AND TWENTY-FIVE CENTS (\$23,280.25) AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Requested by J.P.'s Precinct 2&4]

Cmr. Vasquez made the motion to enter into the Interlocal agreement with UISD and Cmr. Gutierrez seconded the motion. All voted "Aye" in favor. Motion carried 4 to 0.

- b. ACTION TO ENTER INTO A CONTRACT WITH GATEWAY COMMUNITY HEALTH CARE CENTER, INC., TO PROVIDE PHYSICAL EXAMINATIONS, CBC LABORATORY TESTS AND DENTAL SERVICES TO CHILDREN ENROLLED IN THE WEBB COUNTY HEAD START PROGRAM AT REDUCED FEES SUBJECT TO MEDICAID AND/OR THE CHILDREN'S HEALTH INSURANCE PROGRAM AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Requested by the Head Start Program]**

Cmr. Gutierrez made the motion to enter into the contract with Gateway Community Health Care Center, Inc. and Cmr. Velasquez seconded the motion. All voted "Aye" in favor. Motion carried 4 to 0.

- c. ACTION TO ENTER INTO A THIRD CONTRACT AMENDMENT TO EXTEND THE TIME PERIOD FOR**

WEBB COUNTY TO EXPAND FUNDS UNDER THE HOMELESS PREVENTION GRANT CONTRACT BETWEEN THE CITY OF LAREDO AND WEBB COUNTY WHICH WAS EXECUTED ON DECEMBER 4, 2000. THE AMENDMENT EXTENDS THE TIME PERIOD FOR WEBB COUNTY TO EXPEND FUNDS UNDER THE GRANT FROM OCTOBER 1, 2002 TO DECEMBER 31, 2002, IN THE AMOUNT OF \$3,000 AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ANY AND ALL RELEVANT DOCUMENTS. [Requested by the Community Action Agency]

Cmr. Vasquez made the motion to enter into the third Contract Amendment and Cmr. Urdiales seconded the motion. All voted "Aye" in favor. Motion carried 4 to 0.

- d. ACTION REGARDING CHARGE OF DISCRIMINATION NO. 360A201594 FILED WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION BY DANIEL LOMBRAÑA. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code, Consultation with Attorney).**

The Judge acknowledged the recommendation of the county attorney to discuss items d. and e. in Executive Session and will return to said item at a later time.

After Executive Session Cmr. Vasquez made a motion to provide legal council the authority to negotiate a settlement in this case. Cmr. Velasquez seconded the motion. All voted "Aye" in favor. Motion carried 4 to 0.

- e. ACTION REGARDING CAUSE NO. 2002-CVQ-001310-D-3; MARIA ANNA MOLINA, GUARDIAN OF THE PERSON OF GENARO SAUCEDA, VS. CITY OF LAREDO, ET AL.; IN THE 341ST JUDICIAL DISTRICT COURT OF WEBB**

COUNTY, TEXAS (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code, consultation with Attorney).

After Executive Session, the Judge stated that the Court was provided with legal information dealing with this lawsuit. Judge Martinez acknowledged no action was requested at that time.

- f. ACTION TO ENTER INTO A CHECK IMAGING LICENSING AGREEMENT WITH INTERNATIONAL BANK OF COMMERCE(“IBC”) TO PROVIDE CHECKING IMAGING VIEWER SERVICES TO THIRTY-EIGHT (38) WEBB COUNTY DEPOSITORY ACCOUNTS AT A ONE TIME LICENSE FEE OF ONE-HUNDRED AND SEVENTY-FIVE DOLLARS (\$175.00) AND A FORTY-DOLLAR (\$40.00) MONTHLY FEE FOR A CD ROM STATEMENT FOR EACH ACCOUNT AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE AMY AND ALL RELEVANT DOCUMENTS.
[Requested by Webb County Treasury]**

Cmr. Gutierrez made a motion to enter into the check imaging licensing agreement with IBC and Cmr. Velasquez seconded the motion. All voted “Aye” in favor. Motion carried 4 to 0.

- g. ACTION TO ENTER INTO AN ARCHITECTURAL CONTRACT WITH FRANK ARCHITECTS INC., FOR THE VILLA ANTIGUA PROJECT, INCLUDING APPROVAL OF EXPENDITURES FOR ENGINEERING SERVICES IN THE AMOUNT OF \$10,000.00, GEOTECHNICAL SERVICES IN THE AMOUNT OF \$1,200.00 AND PEST CONTROL SERVICES IN THE AMOUNT OF \$102.00 AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS.**

A motion to enter into the architectural contract with Frank Architects, Inc. was made by Cmr. Vasquez and Cmr. Velasquez seconded the motion. All voted "Aye" in favor to approve. Motion carried 4 to 0.

- h. ACTION TO ENTER INTO A MAINTENANCE AGREEMENT WITH SBC DATACOM FOR CISCO 24x7x4 ON-SITE PREMIUM MAINTENANCE SERVICE FOR THE M. I. S. DEPARTMENT BEGINNING NOVEMBER 8, 2002 THROUGH NOVEMBER 30, 2003 AT A COST OF TWENTY THOUSAND SIX HUNDRED NINETY-EIGHT DOLLARS AND FORTY CENTS (\$20,698.40) AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Requested of the MIS Department. Funds available from Department Account#001-0500-6402]**

Cmr. Gutierrez made the motion to enter into the maintenance agreement with SBC Datacom and Cmr. Velasquez seconded the motion. All voted in favor to approve. Motion carried 4 to 0.

- i. ACTION TO ACCEPT A GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, IN THE AMOUNT OF FIFTY-FOUR THOUSAND EIGHT HUNDRED AND NINETY-THREE DOLLARS (\$54,893) FOR THE DOMESTIC VIOLENCE COUNSELORS PROJECT WITH WEBB COUNTY PROVIDING AN IN-KIND CASH MATCH OF THIRTY-ONE THOUSAND NINE-HUNDRED AND EIGHTY-TWO DOLLARS (\$31,982) FOR A TOTAL OF EIGHTY-SIX THOUSAND EIGHT HUNDRED AND SEVENTY FIVE DOLLARS (\$86,875). THE BUDGETED AMOUNTS UNDER THE GRANT ARE \$62,118 FOR TWO DOMESTIC VIOLENCE COUNSELORS, \$18,306 FOR FRINGE, \$2,101 FOR TRAVEL, AND \$4,350 FOR**

SUPPLIES, AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Requested by the District Attorney]

Cmr. Vasquez made a motion to accept the grant from the office of the Governor, Criminal Justice Division and Cmr. Urdiales seconded the motion. All voted "Aye" in favor to accept. Motion carried 4 to 0.

- j. ACTION TO ACCEPT A GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, IN THE AMOUNT OF THIRTY-TWO THOUSAND EIGHTY-NINE DOLLARS (\$32,089) FOR THE WOMEN'S LEGAL ADVOCATE PROJECT WITH WEBB COUNTY PROVIDING AN IN-KIND MATCH OF TWELVE THOUSAND NINE HUNDRED AND THIRTEEN DOLLARS (\$12,913) FOR A TOTAL OF FORTY-FIVE THOUSAND AND TWO DOLLARS (\$45,002). THE BUDGETED AMOUNTS UNDER THE GRANT ARE \$36,750 FOR A WOMEN'S LEGAL ADVOCATE (Prosecutor), \$5,463 FOR FRINGE, \$1,124 FOR TRAVEL, \$1,125 FOR EQUIPMENT, AND \$540 FOR SUPPLIES, AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Requested by the District Attorney]**

Cmr. Vasquez made a motion to accept the grant from the office of the Governor, Criminal Justice Division and Cmr. Urdiales seconded the motion. All voted "Aye" in favor to accept. Motion carried 4 to 0.

- k. ACTION TO ACCEPT A GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, IN THE AMOUNT OF TWENTY-THREE THOUSAND THREE HUNDRED AND THIRTY-FOUR DOLLARS (\$23,334) FOR THE WOMEN'S LEGAL ADVOCATE PROJECT WITH WEBB COUNTY PROVIDING AN IN-KIND MATCH OF**

EIGHT THOUSAND THREE HUNDRED AND TWENTY-ONE DOLLARS (\$8,321) FOR A TOTAL OF THIRTY-ONE THOUSAND SIX HUNDRED AND FIFTY-FIVE DOLLARS (\$31,655). THE BUDGETED AMOUNTS UNDER THE GRANT ARE \$20,820 FOR A COURT ADVOCATE, \$5,481 FOR FRINGE, \$750 FOR TRAVEL, \$2,541 FOR EQUIPMENT, AND \$2,063 FOR SUPPLIES, AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Requested by the District Attorney]

Cmr. Gutierrez made a motion to accept the grant from the office of the Governor, Criminal Justice Division and Cmr. Velasquez seconded the motion. All voted "Aye" in favor to accept. Motion carried 4 to 0.

12:40 P.M. Cmr. Gutierrez made a motion to go into Executive Session and Cmr. Velasquez seconded the motion. All voted "Aye" in favor. Motion carried 4 to 0.

The Judge recognized former Cmr. Rick Reyes who was present in the Courtroom.

1:10 P.M. Court returned to regular session. No action was taken during Executive Session. (Please see item 10.02-11-304 (d) on pg. 18 & 19 and (e) on pg. 19.

The Judge asked if no other items needed to be brought up before the members of the Court and since none were presented, asked for a motion to adjourn

THE COMMISSIONERS COURT MAY MEET IN CLOSED SESSION

PURSUANT TO TEXAS OPEN MEETINGS ACT §551.071 (consultation with attorney), 551.072 (deliberation regarding real property), §551.074 (personnel matters) and §551.075 (consultation with employees), ON ALL MATTERS DEEMED NECESSARY BY THE COMMISSIONERS COURT.

PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AID OF SERVICE SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR NEED LARGE PRINT ARE REQUESTED TO CONTACT THE COURT ADMINISTRATOR AT (956) 523-4620.

ADJOURNMENT

Motion to adjourn was made by Cmr. Gutierrez and seconded by Cmr. Urdiales. All voted “Aye” in favor. Motion carried 4 to 0.